

*** NOT FOR PUBLICATION ***

NO. 25853

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

KULANA HULI HONUA, a Hawai'i non-profit corporation,
Plaintiff-Appellant

and

DAVID KAHELEMAUNA ROY, and MIKAHALA ROY, Plaintiffs

vs.

PETER YOUNG, in his official capacity as the Director of the Department of Land and Natural Resources of the State of Hawai'i, DEPARTMENT OF LAND AND NATURAL RESOURCES, HAWAIIAN DREDGING CONSTRUCTION CO., GAROLD KASHIWA, in his official capacity as the project manager for Hawaiian Dredging Construction Co.; CHRISTOPHER YUEN, in his official capacity as the Director of the County of Hawai'i Planning Department; COUNTY OF HAWAI'I PLANNING DEPARTMENT, JOHN DOES 1-10, JANE DOES 1-10, DOE Corporations, Partnerships, Governmental Units or Other Entities 1-20, Defendants-Appellees

APPEAL FROM THE THIRD CIRCUIT COURT
(CIV. NO. 03-1-0049K)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the statements contesting jurisdiction and the record, it appears that the April 23, 2003 order denying the motion for a preliminary injunction is not an appealable final order under HRS § 641-1(a). It further appears that the May 23, 2003 notice of appeal by appellant Kulana Huli Honua is invalid because it was prepared, signed and filed by Mikahala Roy and David Roy, who are not attorneys licensed to practice law in Hawai'i and cannot represent Kulana Huli Honua before the supreme court. See HRS §§ 605-2 and 605-14; Oahu Plumbing and Sheet

***** NOT FOR PUBLICATION *****

Metal, Ltd. v. Kona Construction, Inc., 60 Haw. 372, 376-377, 590 P.2d 570, 574 (1979). Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, August 28, 2003.